

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Council Meeting

September 18, 1980

6:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen,
Snell, Mayor Pro Tem Trevino
Absent: Councilmember Goodman

The Invocation was given by Dr. Leslie Green, Hyde Park Christian Church.

BIKE WEEK

Bike Week will be observed September 21-28 according to a proclamation read by the Mayor and accepted by Mike Leinman, Bill Pearce and Willie Coy with their thanks and appreciation.

NEIGHBORHOOD ASSOCIATION WEEK

Mayor McClellan read a proclamation naming October 5-11 as Neighborhood Association Week. Marilyn Simpson and Larry Deuser of the Austin Neighborhood Council accepted the proclamation with their thanks.

EASEMENT RELEASE

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following easements:

Two sanitary sewer easements described as Strip No. 1 and Strip No. 2, as dedicated by instrument recorded in Volume 1674, page 151 of the Deed Records of Travis County Texas (3419 Pecos).
(Requested by Mr. Arthur Villela, Water and Wastewater Department.)

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Goodman

CHANGE ORDER

Councilmember Mullen moved that the Council adopt a resolution approving a change order in the amount of \$4,973.00 to Western Floors of Austin, Inc., for addition to carpet/tile replacement, Municipal Annex.

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Goodman

CONTRACTS APPROVED

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

GNG PAVING COMPANY
2203 Holly Street
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Asphalt Golf
Course Paths at Lion's Municipal
Golf Course Phase III - \$7,950.00
C.I.P. No. 75/89-12

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Goodman

EMPLOYEE SUGGESTION AWARDS

Mr. Davidson presented checks to seven employees who presented ideas to the city which in turn will save the city's budget each year. The check represented 10% of the annual saving. Glenn Mach, Public Service Helper suggested rubber bump guards on the corners and sides of large riding mowers to protect the mowers and memorial monuments in the cemetery. He received \$25.00.

BILLY RODGERS, Electric Department, found that recording of Council meetings reduced to the slowest speed available would allow twice as many hours on a tape, saving the cost of tape. His award is \$30.00.

RODNEY WARNER, from the Police Department, suggested the use of two simple processes for recovering silver from waste photo processing chemicals normally disposed of. He received \$60.00.

JOHNNY SWEATMAN, Senior Instrument Technician in the Electric Department, suggested that rubber protectors be put on the metal sleeves over the value stems located in the city's power production plants. This is a protection against injury to the employee. He received \$75.75.

PEGGY COURSEY, Personnel Department, but formerly with Planning, observed that two forms for each zoning case were duplications. For minimizing paper work she received \$107.75.

DEBORAH WHITFIELD, Police Department, observed that the Police Department requests and processes transcripts from the FBI on each individual booked into jail. Often transcripts listed only Austin Police Department arrests which were already recorded. She suggested the procedure be changed and FBI transcripts only be requested for those individuals whose records show mainly local arrest on a two year basis. She received \$116.50.

JAN TYSON, Police Department, suggested a streamlined approach to the Police Department's reporting system and was awarded \$500.

MINUTES APPROVED

Councilmember Cooke moved that the Council approve the Minutes for Regular Meeting of September 4, 1980 and Special Meeting of September 9, 1980. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Mullen, Snell, Mayor Pro Tem Trevino

Noes: None

Absent: Goodman

Abstain: Councilmember Himmelblau

BOARD AND COMMISSION APPOINTMENTS

Mayor McClellan announced the following board and commission appointments will be made September 25, 1980:

On-Going Goals Assembly, 3
Community Development Commission, 4
Vending Commission, 1
Dental Health Advisory Committee, 3
EMS Quality Assurance Team, 1
Environmental Board, 2
Commission on Status of Women, 1
Board of Adjustment, 1
MH/MR Public Responsibility Committee, 1
Human Relations Commission, 1
MH/MR Board of Trustees, 2
and
Manpower Advisory Planning Council, 15

AGENDA ITEMS PULLED

Councilmember Mullen moved that the Council pull from the Agenda, the following items:

Consider granting the consent of the City of Austin to the annexation of land owned by Richard C. Baker, trustee and James B. Casey, trustee to Northwest County Municipal Utility District No. 1.

Consider authorizing the provision of water and wastewater services to specific lands outside the boundaries of the Northwest Travis County Municipal Utility District No. 1.

The setting of a public hearing on appeals from Dr. Victor Hinojosa, Superintendent of Travis State School and Mr. John McAllen Scanlon, of the Planning Commission's decision granting a Special Permit to Foremost Construction Company, Inc., for Sanitary Land Fill on the banks of Colorado River. (C14p-80-043)

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

HEWLETT-PACKARD COMPANY
205 Billy Mitchell Road
San Antonio, Texas

- Time Domain Reflectometer with accessories and Power Supply, Vehicle and Equipment Services Department
Item 1 - \$17,967.71

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

COLE PUBLICATIONS
901 West Bond Street
Lincoln, Nebraska

- 1980 Cross Reference Directories, Office Services Division for various City Departments
Item 1 - \$6,648.00

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

FIRST SOUTHWEST COMPANY
700 Southwest Tower
Austin, Texas

- Financial Advisory Service and Management, Sale of and Delivery of the City's Revenue and General Obligation Bonds, Finance Dept. Five (5) year contract. Minimum fee of \$12,500.00 (SUBJECT TO ANNUAL REVIEW BY CITY COUNCIL)

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

MAINTENANCE ENGINEERING CORPORATION -
3711 Clinton Drive
Houston, Texas

Professional Engineering Services for water treatment and corrosion prevention for all power plant boilers, Electric Utility Dept. \$12,800.00 a year for 36 months.

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

SURPLUS VEHICLES AND EQUIPMENT

Councilmember Mullen moved that the Council adopt a resolution to dispose of by auction method on September 20, 1980, surplus vehicles and equipment, including any items which may sell for \$5,000 or more. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

WASTEWATER APPROACH MAIN

Councilmember Mullen moved that the Council authorize the following Wastewater Approach Main:

BILL MILBURN

- For construction of two 8-inch wastewater approach mains to serve Maple Run, Section Two. (Estimated cost participation by the city will be \$12,150.95 which includes 6% engineering cost if annexed within one year.)

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

TEMPORARY STREET CLOSING

Councilmember Mullen moved that the Council adopt a resolution to temporarily close the following street:

West 25th Street from Pearl to San Gabriel from 2:30 p.m. to 7:00 p.m., October 2, 1980, as requested by Mr. Bradford A. Klien of Texas Cowboys.

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to temporarily close the following street:

Angelina Street from Rosewood Avenue, to Hackberry Street from 12:00 noon to 6:00 p.m., October 5, 1980, as requested by the library staff; dedication ceremonies of the New Carver Branch Library and Musuem.

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

APPOINTMENT MADE

Councilmember Mullen moved that the Council approve Travis County's appointment of Janice Sumner to the Board of Trustees for the Austin-Travis MH/MR Center. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

SPEECH PATHOLOGY PROGRAM

Councilmember Mullen moved that the Council approve issuance of a request for a Speech Pathology Program at Brackenridge Hospital. (Recommended by the Hospital Board) The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

PUBLIC HEARINGS SET

Councilmember Mullen moved that the Council set a public hearing on the following:

To consider amending the Blackshear Urban Renewal Plan and referring same to the City Planning Commission for recommendation for October 23, 1980 at 10:00 a.m.

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council set a public hearing on the following:

An appeal from Mr. Roy Traugott, of the Building Standards Commission's decision to demolish Unit C, located at 1910 Willow Street for October 9, 1980 at 5:30 p.m.

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
 Noes: None
 Absent: Councilmember Goodman

TAX APPEAL HEARINGS SET

Councilmember Mullen moved that the Council set public hearings on the following tax appeals:

<u>NAME</u>	<u>PARCELS</u>	
C.L. Reeves	29	11/13/80 @ 12:00 noon
Philip C. Joseph Attorney for		
Mr. & Mrs. John A. Bird	1	11/13/80 @ 11:00 a.m.
Edward E. Hoppe	2	11/13/80 @ 11:00 a.m.

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
 Noes: None
 Absent: Councilmember Goodman

WASTEWATER SERVICE CONNECTIONS

Councilmember Mullen moved that the Council adopt a resolution allocating two wastewater service connections to Vacker Haven Subdivision (C8s-80-128) from Zilker Park Lift Station. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

TAX APPEALS RESET

Councilmember Mullen moved that the Council reset tax appeals hearings scheduled for November 1, 1980 to Thursday, November 13, 1980 at 9:00 a.m. and 10:00 a.m. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE 1979-1980 CAPITAL IMPROVEMENTS PROGRAM BUDGET BY ACCEPTING AND APPROPRIATING \$398,290.00 FROM THE TEXAS LOCAL PARKS, RECREATION, AND OPEN SPACE FUND PROGRAM; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE CAPITAL IMPROVEMENTS PROGRAM BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$270,000.00 FROM THE FEDERAL AVIATION ADMINISTRATION; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$133,887.00 FROM THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION FOR THE PURPOSE OF FUNDING A PROJECT ENTITLED "INTERGRADED CRIMINAL APPREHENSION PROGRAM (ICAP)/3"; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

SPEED ZONES MODIFIED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTIONS (b) AND (c) OF SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING A CERTAIN ADDITION AND DELETION TO SAID SUBSECTIONS, THEREBY DECLARING THE MAXIMUM PRIMA FACIE SPEED LIMITS UPON THAT CERTAIN STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN, CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

SECTION 21-42

DELETION - Subsection c - 45 mph

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Cameron Road (FM 3015)	485 feet north of Highway 290 East (6700 block)	420 feet south of Highway 183 (7600 block)

ADDITION - Subsection b - 40 mph

Cameron Road (FM 3015)	485 feet north of Highway 290 east (6700 block)	Highway 183 (7600 blk.)
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Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 800626-I, ENACTED BY THE CITY COUNCIL ON JUNE 26, 1980, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-80-059)

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 780817-B, ENACTED BY THE CITY COUNCIL ON AUGUST 17, 1978, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-77-159)

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710624-G, ENACTED BY THE CITY COUNCIL ON JUNE 24, 1971, AND ORDINANCE NO. 710819-A, ENACTED BY THE CITY COUNCIL ON AUGUST 19, 1971, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-71-073)

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

FIRST READING OF BUDGET AMENDMENT

Mayor McClellan brought up the following ordinance for its first reading:

The ordinance was read the first time, and Councilmember Mullen moved that the ordinance be passed to its second reading. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Mayor Pro Tem Trevino, Mayor
McClellan
Noes: Councilmembers Cooke, Mullen
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been passed through its first reading only.

*Ordinance No
800918-9*

COMMUNICATION RE CABLE TV

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF AUSTIN OF 1967; AMENDING SECTION 1-14 TO INCLUDE A DEFINITION OF TO MEET; AMENDING SECTION 1-16 TO REQUIRE CABLE TELEVISION COMPANIES AND THEIR AGENTS TO SUBMIT INFORMATION TO THE CITY CLERK AND TO PROHIBIT ALL COMMUNICATION WITH THE MAYOR, MEMBERS OF THE CITY COUNCIL, THEIR AIDES AND MEMBERS OF THE CITY STAFF IF COMPETITIVE BIDDING PROCESS IS INITIATED; AMENDING SECTION 1-17 TO REDESIGNATE SUBSECTIONS (B) AND (C) AS (D) AND (E) RESPECTIVELY, AND TO REQUIRE CERTAIN INFORMATION TO BE FILED WITH THE CITY CLERK AND TO REQUIRE FILING OF REPORTS OF MEETINGS; AMENDING SECTION 1-18 TO INCLUDE GROUNDS FOR DISQUALIFICATION OF CABLE TELEVISION COMPANIES FOR VIOLATION; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the first time, and Councilmember Mullen moved that the ordinance be passed to its second reading. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmember Mullen

Noes: Councilmembers Himmelblau, Cooke

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been passed through its first reading only.

ZONING ORDINANCES

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1. LOTS 1 AND 2, MCNEIL ROAD COMMERCIAL SUBDIVISION, SECTIONS I AND II; LOCALLY KNOWN AS 12000-14000 TECHNOLOGY BOULEVARD AND 12563-12589 U.S. HIGHWAY 183, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2A. A 83,325 SQUARE FOOT TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2B. A 116,717 SQUARE FOOT TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2C. A 88,864 SQUARE FOOT TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2D. A 233,747 SQUARE FOOT TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2E. A 148,933 SQUARE FOOT TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2F. A 330,251 SQUARE FOOT TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2G. A 218,756 SQUARE FOOT TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2H. A 112,120 SQUARE FOOT TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2I. A 121,192 SQUARE FOOT TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 3. ALL OF THE MCNEIL ROAD COMMERCIAL SUBDIVISION, SECTION I AND II, SAVE AND EXCEPT TRACT 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, and 2I ABOVE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS 12000-14000 TECHNOLOGY BOULEVARD AND 12563-12589 U.S. HIGHWAY 183, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Crow-Gottesman, A Texas Limited Partnership)

The ordinance was read the second time and Councilmember Mullen moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN APPROXIMATE 0.5 ACRE OF LAND, LOCALLY KNOWN AS 10102 NORTH LAMAR, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (James H. Laubach, C14-80-116)

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Cooke, Mayor McClellan

Noes: None

Absent: Councilmember Goodman

Abstain: Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 13, DIVISION Z, OUTLOT 1, WOODLAND ADDITION, LOCALLY KNOWN AS 503 OAKLAND STREET, FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Rosa L. Sandberg, C14-80-141)

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Abstain: Councilmember Himmelblau

The Mayor announced that the ordinance had been finally passed.

SPECIAL MEETING SET FOR CIP ADOPTION

Councilmember Snell moved that the Council set a Special Called Meeting of the Council for Wednesday, September 24, 1980 at 4:00 p.m. for consideration of adopting the 1980-85 Capital Improvements Program. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

6TH STREET - PECAN STREET

MR. BLAKE ALEXANDER, Landmark Commission, presented the Commission's report on changing the name of 6th Street to Pecan Street. He said the majority of the Landmark Commission members favored calling 6th Street from IH 35 to Congress Avenue the co-name of East Pecan Street/East 6th Street.

Mayor McClellan suggested this item be placed on the October 2, 1980 Agenda to set a public hearing.

BILL O'Connell, Historic Landmark Commission, presented the minority report which stated the preferred name to be Old Pecan Street. He said the section of 6th Street in question is a concept, not just a street to be named.

THREE CITY MANAGER REPORTS POSTPONED

The following City Manager Reports were postponed until the September 25, 1980 Agenda: Procedural Changes for Sale of Surplus Property; Sale of City Property S-133/S (Balcones Tract); and Insurance for Part-time employees.

ELIGIBILITY QUESTION ON THE CDC CONTRACTS

MR. CARLOS HERRERA, Director of Human Services, presented the City Manager's Report on Efforts to Resolve Eligibility Question on the CDC Contracts. (AMEDC, NBL, ACEDC and EACEDC).

"We are reporting today on the follow up with our recent visit with HUD and the progress we made regarding the eligibility question regarding the CDC's that were funded under the Community Development Block Grant. It now stands that the question regarding the legal eligibility as to whether or not these particular corporations satisfy the criteria necessary to participate in the CDBG Program has been resolved in the affirmative. However, there is an additional issue which had been raised since that time which now questions the services we are contracting for under these legally eligible entities. Consequently we have provided additional support material to make justification available to HUD in order to bring about a resolution regarding that secondary question. We are still in a position waiting for their interpretation and communication to us regarding that issue. We are still at odds with HUD regarding an additional issue which we were not aware of at the time we reported to you the last time. Consequently, the only thing I can recommend to you today is that we continue as we did the last time... continue the funding under the CDBG Program. Again, the probability of these services being found ineligible appear to be even less probable than the original question, which has been resolved so that even if there is a negative finding the total liability to the city appears to be further minimized."

Councilmembers Mullen and Trevino wondered how long it will be before there are answers. Mr. Herrera said this matter is now with HUD's legal staff and they have no control over the length of HUD's decision. Councilmember Snell asked what effect this is having on the agencies and wondered if they feel they can go on with their work. Mr. Herrera said he is certain the effect is one of extreme anxiety. He said questions like this routinely occur when working with the Federal and/or Municipal government. "We do not like the idea we have these questions, but we do have to make an effort to resolve them."

City Manager Davidson said "We will continue to keep the public advised by memo and by public report."

REPORT FROM VEHICLE IMPOUNDMENT TASK FORCE

Chief of Police Dyson presented the City Manager Report on Vehicle Impoundment Task Force. He referred to the report, which is on file in the City Clerk's office, and indicated as a summary point, the Task Force arrived at four central points:

1. The City must develop an effective method of enforcing the parking regulations if those regulations are to succeed;
2. The most effective of alternatives is impoundment of offending vehicles and/or the vehicles of habitual violators;
3. This impoundment should be under the management and control of the City;
4. The City must develop and enact a comprehensive ordinance dealing with all aspects of the impoundment process.

Chief Dyson referred to the fiscal note attached to the report which outlines the costs associated with the two possible methods. The "16 hours" proposal basically provides for operation of wreckers and the impoundment facility for 16 hours per day, seven days a week, while the "8 hour" proposal would limit operation to eight hours per day, seven days per week.

Councilmember Cooke asked if the City could contract with one agency or two agencies on a yearly basis. They could put the vehicles in a central area. Chief Dyson said once the car is impounded, interaction has to take place between the Police Department, courts and the person who has control of the vehicle.

Councilmember Himmelblau said she had asked the City Manager if the City had some surplus land which could be used as a place to tow impounded vehicles.

MR. JONATHAN DAVIS, Assistant City Attorney for the Police Department, said "We don't really believe there is any one company that is big enough to handle this. Another thing, these companies are reluctant to do these sort of hauls because they do not make nearly the amount of money as they do when they haul a collision when they will get body work. We had bad experiences when we used to impound vehicles under the Police Pound and they just came out and said they did not like to do them because they do not make any money from them. We felt we would have to contract with several people to do the business and that would end up with various lots. We feel Austin is just too big for one company."

Councilmember Cooke said this would mean the purchase of city wreckers manned with city employees which would reduce the overall flexibility in future years.

City Manager Davidson said that because of the question posed he will work with Chief Dyson as soon as possible to tabulate information and cost comparisons and come back no later than next week with an elaboration of that.

EXPANSION OF EMPLOYEE BUS PASS PROGRAM

Dr. Jim Benson, Director of Urban Transportation, presented the following report on Expansion of Existing Employee Bus Pass Program:

In response to a request from a number of City employees, the Urban Transportation Department is proposing that Park-and-Ride bus passes be included in the existing Employee Discount Bus Pass Program. This program has been a great success since it was initiated in 1978. The number of passes sold has increased by over 100% since the program was initiated.

Under the current program, employees in the downtown area (1st Street - M.L.K.; IH-35-West Avenue) are eligible to purchase the Commuter Pass (regularly \$11.50) or the Monthly Pass (\$18.00) for \$3.79 or \$5.94, respectively. Advantages of this program include:

1. The attainment of more efficient utilization of fuel which is consumed as local residents commute to and from their work places.
2. The increased utilization of the Austin Transit System thereby resulting in a higher ratio of passengers per bus.
3. The achievement of improved air quality as a direct result of a decrease in number of vehicles being driven to and from the work place.
4. The relative easing of the burden placed upon present roadway arteries, bridges, on-street parking areas.
5. A reduction in the demand for the expansion of parking facilities as well as in the planning of future facilities.

We feel that this action would demonstrate the City of Austin's commitment to the usage of transit and will set a good example for other major employers in the Central Business District. It will also help to address problems associated with the lack of adequate parking for some City employees.

The estimated annual fiscal impact of offering these passes at the standard 67% discount in the areas currently authorized for the program would be approximately \$6,285 annually. (The employee would pay \$6.60 for a \$20.00 Park-and-Ride pass).

Council consideration of this request would be appreciated.

LAKE AUSTIN PENINSULA STUDY

Mayor McClellan opened the public hearing scheduled for 7:00 p.m. on recommendations pursuant to the Lake Austin Peninsula Study.

Mr. Dick Lillie, Director of Planning, referred to the copies of the Peninsula Study which had been presented to Councilmembers. He said this concerns an area about 4700 acres in size on the west side of Lake Austin with a population of about 1,000 people and slightly less than 500 homes. He said the Planning Commission has recommended that the area not be released from the city's ETJ. The following recommendations were made by motion.

1. Establish a special development district within the subdivision regulations to provide for density averaging one unit per acre, excluding public land; low density street standards or alternative street standards which might not have curbs and gutters and might be narrower than other suburbs; septic tanks or alternative systems excluding wastewater system from the City of Austin; and that the extension of city water be provided in accordance with city approach mains and extension policies. The second motion made was that the city proceed with limited purpose annexation with SR suburban residential zoning which requires one acre minimum lots and all of the conditions included in the first motion. Limited purpose annexation would allow the city to extend its zoning and building permit standards and other planning standards the Council might direct and all health and sanitation standards in the area. The third motion in favor was to rescind the municipal utility district contract for Davenport Ranch because that contract for water and wastewater service by the City of Austin is not compatible with the provisions of the comprehensive plan. The fourth motion with a 6-1 vote in favor was that full purpose annexation should be considered only when the fiscal impact to the city is not negative, while maintaining low density standards. The Commission, said Mr. Lillie, is in effect saying that limited purpose annexation at a later time and that even then it should be accomplished with low density standards and a low service standard. "Several weeks ago when these recommendations were considered by Council the interest of the Council was for the Commission to begin working on the establishment of the Special Development District and the Commission has established a sub-committee which is presently working with the staff to develop the provisions of the Special Development District and their first set of recommendations are being considered next Tuesday at the Planning Commission meeting on the 23rd of September."

Dr. Maureen McReynolds, Environmental Resource Management Director, said the Environmental Board considered the Peninsula Study at its August meeting and many of its recommendations are parallel to the Planning Commission's recommendations. They also recommended terminating the water and wastewater contract with the Westview Development Corporation and limited purpose annexation of the West Lake Peninsula. The Environmental Board recommended development density of 1.5 gross acres per unit, including roads and public areas rather than the Planning Commission's recommendation which was one acre excluding the public areas and roads. The feeling of the board was that that was approximately the same lot size and it would be easier to make gross acres than to exclude public areas and roads for calculation. She said they also recommended that if the City of Austin provide water service to the area that this be in accordance with city policy and the comprehensive plan. The Environmental Board specified that if the city were to provide water that the Ullrich Treatment Plant be considered rather than the Davis Water Treatment Plant. The Board also recommended that the wastewater system which services the area should be the most environmentally sound one available. That is a collected sewage system which meets the current standards of the city's current treatment plant policy. If development in the peninsula requires individual waste disposal systems then the Board recommended the Septic Tank Ordinance be amended to provide better control over such systems and that the City Sign Ordinance be extended to provide control over signs in the area.

MRS. HELEN DURIO, President, Lake Austin Hill Country Homeowners Association, said they do not want to be a part of Austin because they do not think Austin will preserve the watershed. She asked for the return of the peninsula to West Lake Hills. She said they also think limited purpose annexation would be a fantasy.

PEGGY FERGUSON, president of Now or Never, said they support the return of the peninsula to West Lake Hills.

DICK STANFORD said the people who live in the peninsula are against being a part of Austin and prefer to have West Lake Hills annex them.

JACKIE JACOBSON, member of Lake Austin Hill Country Association, is against annexation by Austin.

MARILYN SIMPSON, Austin Neighborhood Council stated her organization voted to allow West Lake Hills to annex the area.

JACK STEWARD, Eanes School Board member, asked Council to consider the impact on the Austin school system if the annexation occurs. He said more schools would have to be built and asked Council to have compassion for the kinds of pressure put on the student population.

DR. MARILYN WAITE told Council Austin cannot afford the peninsula because they would not get the amount of money from the residents there that it would take to provide necessary services.

DOROTHY HARBILL, Minnesota resident, held up a sign which was derogatory to the Austin City Council.

Motion

Councilmember Himmelblau moved that the Council close the public hearing. The motion was seconded by Councilmember Snell.

Councilmember Himmelblau said, "I'd like an answer that I've just asked of the City Manager and I know it's not coming right away. I would like to know the details of our contract with Water District 10."

Mayor McClellan pointed out that "our moratorium runs out on the 26th so I would suggest that we add an item to our agenda for next week to extend the moratorium for 30 days and then we can schedule it at a time when we have a full Council here for a decision on the peninsula."

Friendly Amendment

Mayor McClellan offered a friendly amendment to have an item on next week's agenda to extend the moratorium 30 days.

Roll Call on Motion With Friendly Amendment

Roll Call on Motion with friendly amendment showed the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

REPORT PRESENTED

MR. CLYDE MCQUEEN, Chairman, Austin Cen-Tex Chapter, National Business League, appeared before Council to introduce staff to Council and present a report on activities. He said the activities of his organization have not been adequately or specifically defined. "First of all I would like to acknowledge the Council's contribution of seed money to allow us to get started in the participation of community economic development." He introduced his staff, Program Manager Carol Hadnot; Business Analyst Chris Edward; Vice-Chairman Charles Birmingham; President Robert Lee; Secretary Jean Madison. He said the results of their program thus far are as follows: Secured approval of various financial lines of credit and procurement proposal for a total amount in four months of \$784,657.00. These activities have enabled our community businesses to expand in the areas of transportation, word processing systems,

personnel consulting, building services and a new facility for their community. Mr. McQueen then described the loans that have been received and for what they have been used. He thanked Austin for giving his organization the opportunity to do what it has done. Mr. McQueen then enumerated things they would like to occur: 1) Contract be viewed as a contract and not as an agreement under which their funds can be granted in order to be spent within 3 days notice. 2) Administrative decision effecting their organization be presented within 30 days prior to the proposed enactment, in writing. 3) The clarification between their first and second year funding be established and that their pro-rated second year budget be on their second year budgetary level and not on their first year request. 4) Their organization not be required to suffer for discrepancies which occur between the Human Services Department and the Federal Government.

Councilmember Snell thanked and congratulated Mr. McQueen for the report.

Councilmember Snell asked Clyde McQueen if the renewal of contract has effected the National Business League. He said yes. Not fair to have been told they do not follow regulations when they do. Councilmember Snell asked about the loans. "I see you have two that were disapproved. What is the problem there?" Mr. McQueen said, "We provided the technical assistance and the banks chose not to fund those particular proposals due to the fact there was not enough capital injection or the fact they felt in their judgement they were not a good risk financially." Councilmember Snell asked if he had any suggestions to improve the program. Mr. McQueen answered, "When we first started the program out the indemnification fund which we could access for the hard cases that banks would not finance, that fund is still in jeopardy. We haven't been able to access it, we can't get any questions answered, we're supposed to be able to access it and haven't been able to. Secondly, I would really appreciate it if we would quit getting a lot of verbal and non-written requests from Human Service Department. We're called up almost weekly with requests we are supposed to submit and with written documentation and we can't operate a program like that."

Mayor McClellan asked for a report on all items brought up and share with Mr. McQueen.

CLEAN UP PROJECT ON MT. BONNELL

Mr. Ben Grieder appeared before Council to inform them of his clean-up project at Mt. Bonnell, scheduled for September 20, 1980 without the use of city funds. He said the clean up time will be from 8:00 a.m. to 1:00 p.m.. He asked the support of the Council and general public to help pick up all the large objects and broken glass in the Mt. Bonnell area.

Mayor McClellan expressed appreciation for Mr. Grieder's efforts.

CITIZEN DID NOT APPEAR

MR. MARK T. MITCHELL had requested to appear before Council to request permission for the use of Auditorium Shores for the First Annual Austin Armadillo Festival. He did not appear but sent word he will be included on next week's Agenda.

RATES AND FEES DISCUSSED

MR. M.A. LANG appeared before Council to discuss electric rates, Wastewater Permit fees and Food Vending Machine Permit Fees. Councilmember Mullen said that the Electric Utility Commission has re-heard Mr. Lang's previous requests concerning electric rates and they do not want to take action. He asked Mr. Lang to meet with him next week and they will go over Mr. Lang's requests.

PROPOSED BUDGET CUTS FOR AUSTIN
TRANSIT SYSTEM

MR. LONNELL SHACKLES, President, Union Local 1091, appeared before Council to discuss cuts in budget for the Austin Transit System. He asked that Ms. Florence Parks, spokeswoman for the Local be allowed to speak instead of him. Mayor McClellan explained that the Council's procedure on Citizen Communication is that the person who signs up is the one to speak. She asked Council, "This is very unusual but we have the Council Chamber filled with people so I would say let's hear from her. We never do this but for you we are going to."

MS. FLORENCE PARKS said that many of their members are present in the Council Chamber because of concern about the Austin Transportation System. She discussed the details of the cut backs and layoffs as proposed in the new city budget for Austin Transit; asked why Austin is cutting service and raising fares when the trend in the country is toward mass transit; discussed city priorities in relation to transportation and asked about the future of public transportation in Austin.

When Ms. Parks finished speaking, Mayor McClellan told her that the proposals in the City Budget are just that at this point and no action has yet been taken. The Mayor assured her the Council is very appreciative of those who keep the buses going. Dr. Benson, Director of Urban Transportation, discussed the proposals. He said among them are service reductions on routes that are not heavily used. Saturday fares will be increased from 40¢ to 60¢ and the buses will stop at 8:00 p.m. at night. He also discussed the reduction of drivers by attrition for the routes that do not have much ridership.

A bus driver, who did not identify himself, suggested Council not reduce fares from 9:00 a.m. to 3:00 p.m. He said there are a lot of riders during those periods and revenues can be increased then.

TOM PARKER, General Manager, Austin Transit, said peak hours trips will not be eliminated.

PROPOSED LIBRARY CARD FEE DISCUSSED

MS. JOAN LAVA, President, League of Women Voters of Austin, appeared before Council to discuss the proposed revenue source of a ten-dollar user fee for a public library card. Mayor McClellan assured her that Council will not consider the library fee in their decisions.

BUS SERVICE AND FARES

MRS. ARI WRIGHT appeared before Council to discuss bus service and fares.

ZONING HEARING

Mayor McClellan opened the public hearing scheduled for 7:30 p.m., on the following application. Pursuant to published notice thereof, the following zoning was publicly heard:

BILL MILBURN, INC. 3516-3540 Duval
by John C. Meinrath Road
C14-80-138

From Interim "AA" Residence
1st Height and Area
To General Retail, "LR" Local
Retail, "BB" Residence, and "A"
Residence
NOT RECOMMENDED
RECOMMENDED by the Planning Com-
mission, Tracts A & B to "GR"
General Retail, Tracts C & D to
"O" Office, Tract E to "A" Residence,
Tract F to "LR" Local Retail,
Tracts G, H, I, to "A" Residence,
and Tract J to "A-2" Residence,
with conditions as recommended for
each tract.

Mr. Lillie, Director of Planning, reviewed the application by use of slides.

Mr. John Meinrath, representing Bill Milburn, Inc. showed maps of the area and said the concept is to put a proposed business development at either end of the Milwood development with an extension of Duval Road north with a 90' right of way which they think will solve the access problem. Mr. Milburn is agreeing to almost all of the recommendations of the Planning Commission and the design should enhance the whole development.

Councilmember Himmelblau asked what would buffer the commercial property from single family dwellings. Mr. Dancy showed her a plat and said it was a traditional land plan of land zoning. He explained the buffering and said the proposed shopping center has been sized to take the pressure off the area for future community development. Mr. Charles Graves discussed the engineering of the project.

RICHARD WELCH, a resident of Milwood, spoke against the zoning request. He said Mr. Milburn is proposing this because the area needs shopping centers closer to their neighborhood. He said people in the area, on a 5-1 ratio are against the proposed shopping center. It would be too large and impede their neighborhood. Noise and pollution would be increased. Mr. Welch asked the Council to vote for the integrity of the neighborhood and ask Milburn to re-design the area or re-locate.

BOB PEARLMAN read comments from several of his neighbors and said a shopping center in their area is not wanted or needed...that this would not be a rational approach along Parmer Lane. It is proposed to be 65 acres, almost as large as Highland Mall. He said they have all the shopping they need within two to four minutes from their homes. He asked Council to refuse the zoning requests.

MR. CONRAD appeared and said it would be bad to have the shopping center adjacent to a school. He said the kids would hang out at the center and there would be drug pushers. The increase in traffic would be too great and would hinder the park, church and school activities.

ART ESTES said the roads are not yet well enough developed for a large shopping center as is proposed. He urged Council to turn down the zoning request.

BILL FLANNERY said the only one interested in this shopping center is Mr. Milburn, the developer. He said there has not been adequate research concerning the site for a shopping center. The Highway Department has not done a study and do not know the impact of this proposal. He also does not think the city has done its homework on this proposal.

LEE KINARD said it does not make sense to put this proposed shopping center where Mr. Milburn wants it to be.

DR. LARRY MAYES, professor of Civil Engineering, University of Texas, spoke of the Balcones Fault and Edwards Aquifer and thought the building would disrupt the natural state. He said the shopping center would be on the 100 year flood plain, and expressed concern about the ability of storm sewers to operate properly. He said the shopping center also would sit on one of the major recharge zones of the Edwards Aquifer and the Balcones Fault runs through the land. Dr. Mayes asked Council not to allow the construction of this shopping center.

DR. HOLCOMB, professor of Chemistry at University of Texas, discussed what is involved environmentally in the area with the Edwards Aquifer. He said a study needs to be made to see where the water goes.

PATRICIA LITTLE asked if any Councilmember has a conflict of interest concerning this shopping center, it should be read into the record.

JAMES YETT questioned Mr. Dancy concerning the extension of Duval west to 1325. He said they had been told this would not be done, yet, he wondered how people will be able to get out of Milwood. He said homeowners had not been told a major highway would go through their neighborhood. He said the area should be home sites and the Council should protect the present home owners. He said if the zoning change is completed, Milburn will not develop the area, he will sell the land.

RON CASS, Walnut Crossing, said the residents there have a problem with the proposed zoning change and shopping center. He felt the development is too massive for the area.

BOBBY TAYLOR, representing Northwood Homeowners Association, expressed concern about traffic which would be caused by a shopping center. He asked Council to disapprove the zoning change.

LARRY DEUSER, president, Angus Valley Neighborhood Association, spoke against the zoning change and enumerated the concerns of his neighbors.

NICK JERRAD, Northwood Subdivision, does not think they need another shopping center in the area. He said the Council has to figure out whose economic value it serves.

A resident of Milwood Subdivision spoke against the shopping center.

MARY BROWN, a resident of Northwood, said they have deer and birds and country life there now. They do not want it spoiled.

A resident who did not identify himself said Milwood is tomorrow's Tarrytown.

JOHN MEINRATH returned and urged Council to allow the building of the development.

LEO DANCY spoke about the size of other shopping centers in the area.

CHARLES GRAVES said Dr. Mayes is a good engineer, but said the flood danger is not that eminent.

Councilmember Mullen questioned whether or not the position of the School District has changed regarding locating schools next to shopping centers. Mr. Dancey said there has been no change in position and if one goes through the city they will find shopping centers near the schools. Mayor McClellan said "I think we will have ample time between now and October 9 to ask the School District about this." She asked staff to directly contact the School Board and find out what their position is on this.

Motion

Councilmember Cooke moved that the Council close the public hearing and schedule this zoning case for vote on October 9, 1980. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau
Noes: None
Absent: Councilmember Goodman

DAVENPORT RANCH MUD #1

Council had before it for consideration, a resolution to consider approval of (1) a contract with Westview Development, Inc., relating to the Davenport Ranch MUD #1 and the remainder of the Davenport Ranch and (2) amendments to the consent resolution of March 6, 1979 to reflect contract modifications.

Mr. Albert DeLaRosa told Council they have received the latest draft of the Davenport Contract dated September 17, 1980. "To briefly go over the contract, the contract now provides that the Davenport Ranch Municipal Utility District No. 1 is a party to the contract and deleted from the contract are those provisions that call for resolution by the district and also some statements that the District is the third party beneficiary for the contract. Another key change is in Article III the costs which are to be paid by the District and WDI. Pursuant to discussion Council had on this item in early August the City Council at that time authorized the allowance of interest on construction costs and capitalized interest. They discussed these two points and at that time indicated they were willing to look at the options of an on-site water service facility. Because of the construction and engineering costs which had already been incurred by Davenport, these costs have now been added to the allowable MUD expenditure." Councilmember Cooke asked what the

difference would be in cost. Mr. DeLaRosa said he would have to ask someone from the Davenport Ranch. A man who did not identify himself said "engineering costs that accrued to the sewer and water lines are going to go across the plant. They will cost \$150,000 to \$175,000. The difference in the cost of the provision of utilities through either construction of on site facilities or the off site facilitiesit is going to cost more to build on-site facilities than it would have to build those facilities across the lake. However, due to phasing, the cost can be closely approximated to those that would have been seen by building lines across the lake."

Councilmember Himmelblau asked, "On debt retirement of a plant like this, how do you base your water charges for the MUD?" She was told the contract utilizes the current out of city rates.

Mr. DeLaRosa continued, "In addition to the provision for the on-site water treatment facility the contract now provides that an on-site wastewater treatment facility will be constructed within the Davenport Ranch in lieu of the contemplated sewer lines across Lake Austin. The contract is specific that approval of the city must be obtained as to the construction of these two facilities and they must be designed and constructed in accordance with not only the requirements of the city but also the Texas Department of Health and the Texas Department of Water Resources and any other governmental agencies which have an appropriate jurisdiction. The city has retained the right to inspect all of the construction plants and has the right to inspect the facilities any time during construction to make sure they are being built in accordance with the city's standards. The contract also provides that the wastewater treatment plant must be capable of complying with effluent requirements in order to protect the area and also provides there can be no discharge of any effluent into Lake Austin. The contract also provides that as an alternate water supply in the event the District is unable to secure the necessary approvals for the water treatment facility and wastewater treatment facility that the city will provide an alternative water supply and so the contract is basically structured along the same lines as the original contract and on the same terms as to how the city water would be supplied in the event that the permits for these two facilities are not obtained.The contract provides for the delivery of the water from the Davis Treatment Plant for the water purposes and would be across Lake Austin. It is essentially the same route that was envisioned in the first contract that the City currently has with Davenport and on the same terms. Those would only be in the event that the permit for the construction for the two on-site facilities cannot be obtained." Councilmember Himmelblau asked about the tertiary treatment. Mr. DeLaRosa referred her to page 6.

Motion

Councilmember Himmelblau moved that the Council adopt a resolution approving of (1) a contract with Westview Development Inc., relating to the Davenport Ranch MUD #1 and the remainder of the Davenport Ranch and (2) amendments to the consent resolution of March 6, 1979 to reflect contract modifications. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau, Mullen

Noes: None

Absent: Councilmember Goodman

At the time of roll call, Councilmember Mullen stated: "I want the record to show that this doesn't set any precedent which would jeopardize the enforceability of the peninsula standards that we might develop later on. This has developed only because of the unique situation and if we need to vote on that or get that on record or anyone has any objection to that, speak up, but at least get that down that this does not jeopardize our ability to treat the rest of the peninsula differently if we want to."

Mayor McClellan stated, "I also think there's been a lot of good co-operation from the Davenport people."

PUBLIC HEARING SET

Councilmember Cooke moved that the Council vote by a show of hands to set a public hearing for Monday, September 22, 1980 at 7:30 p.m. to consider certain fee increases and/or the establishment of new fees for the 1980-81 fiscal year. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen

Noes: Councilmember Snell

Absent: Councilmember Goodman

Abstain: Mayor Pro Tem Trevino

Motion to Reconsider

Councilmember Mullen moved that the Council vote by acclamation to reconsider the above vote. The motion was seconded by Mayor Pro Tem Trevino.

Motion

Councilmember Mullen moved that the Council set a public hearing for Monday, September 22, 1980 at 6:00 p.m. to consider certain fee increases and/or the establishment of new fees for the 1980/81 fiscal year. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Prior to the vote Council discussed the proposed fee increases which will be discussed at the Special Called Meeting.

MORATORIUM

Councilmember Cooke made a motion to move through second reading of an Ordinance establishing a temporary 30-day moratorium on the processing of certain subdivision plat applications covering land within that portion of the Williamson Creek Watershed which is within the Edwards Aquifer Recharge Zone or the Edwards Aquifer Contributing Recharge Zone beyond being accepted for filing and disapproved. Mayor Pro Tem Trevino seconded the motion.

Councilmember Himmelblau said they had a request from Councilmember Goodman to wait to vote when he is present. There was some discussion.

Roll Call on Motion

Roll Call on Motion showed the following vote:

Ayes: Councilmember Mullen, Mayor Pro Tem Trevino, Councilmember Cooke
Noes: Councilmember Snell
Absent: Councilmember Goodman
Abstain: Mayor McClellan, Councilmember Himmelblau

This item will be placed on the September 25, 1980 Agenda for second and third reading.

CONGRESS AVENUE PLAN

Mayor McClellan's item to consider issuing request for proposals from the private sector for a trial run on the approved Congress Avenue Plan will be on the September 25, 1980 Agenda.